FA No. 741 of 2001
(Old No. 277 of 1997)
Hon'ble B.C. Kandpal, J.
(Delay Condonation Application No. 1999 of 1997)

Heard Sri R.C. Arya, learned Standing Counsel for the State and perused the affidavit filed in support thereto.

After having perused the averments made in the accompanying affidavit, I come to the conclusion that the State Government since after the impugned judgment and decree has been sleeping over the matter and the authority concerned did not take appropriate action for filing the appeal while in time.

The averments made in the paragraphs No. 11 to 13 in the affidavit are indication of the fact that the authorities of the State Government were not in a mood to file the appeal expeditiously in spite of the fact that they were in the knowledge of this aspect that the inordinate delay had already been caused by the State Government in filing the appeal.

As the grounds taken in the accompanying affidavit do not inspire confidence and no reasonable and plausible explanation has been extended therein for condoning the delay.

Accordingly, the delay condonation application is here by dismissed.

Consequently, the appeal is also dismissed.

(B.C. Kandpal, J.)

16.10.2006
ASWAL